

Message Text

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ACTION STR-07

INFO OCT-01 ARA-10 EUR-12 EA-10 IO-13 ISO-00 STRE-00
AGRE-00 CEA-01 CIAE-00 COME-00 DODE-00 EB-08
FRB-03 H-01 INR-10 INT-05 L-03 LAB-04 NSAE-00
NSC-05 PA-01 CTME-00 AID-05 SS-15 ITC-01 TRSE-00
ICA-11 SP-02 SOE-02 OMB-01 DOE-15 AF-10 NEA-11
/167 W

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P 121815Z MAY 78
FM USMISSION GENEVA
TO SECSTATE WASHDC PRIORITY 9616
INFO AMEMBASSY BRUSSELS
AMEMBASSY TOKYO
AMEMBASSY BRASILIA

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USMTN USEEC

ACTION STR FOR GREENWALD, FEKETEKUTY, FLAIG

STR PASS CODEL

E.O. 11652: N/A
TAGS: ETRD, MTN
SUBJECT: FRAMEWORK - INFORMAL DC DISCUSSION ON ENABLING
CLAUSE, MAY 11, 1978

REF: A) GENEVA 7094; B) GENEVA 7107

1. SUMMARY. AT INITIATIVE OF GATT SECRETARIAT, STOCK-
TAKING EXERCISE ON FRAMEWORK TOPICS CONTINUED MAY 11
WITH MEETING OF DC DELS, MANY OF WHOM RELUCTANT TO
SPEAK. LIMITED DISCUSSION ON LEGAL BASIS FOR S&D MARKED
BY EXPLICIT EC ACKNOWLEDGMENT THAT DC SIDE UNDERSTANDINGS
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ON FUTURE HANDLING OF PREFERENTIAL ARRANGEMENTS LIKE
GSP WOULD PROBABLY NEED TO REINFORCE ANY ENABLING CLAUSE.
END SUMMARY.

2. GATT DEPUTY DG PATTERSON, IN DG'S ABSENCE, CONVENED
INFORMAL MEETING OF DC DELS MAY 11 FOR EXCHANGE OF
VIEWS ON FRAMEWORK TOPICS AND ASSESSMENT OF RECENT

DEVELOPMENTS. (FYI. AS INDICATED REF. A, DG LONG HAD ENGINEERED THIS MEETING AS A FOLLOW-UP TO MORE RESTRICTED STOCKTAKING DISCUSSIONS IN QUOTE 3 PLUS 3 GROUP, UNQUOTE WHICH PRESUMABLY IS NOW DEFUNCT. END FYI.) MOST PARTICIPANTS SPOKE LITTLE IF AT ALL; CANADA (AMB. GREY) SAID WORK ON FRAMEWORK TOPICS ALREADY "PROCEEDING IN VERY REAL BUT UNSTRUCTURED FASHION" (I.E., IN INFORMAL BILATERAL AND PLURILATERAL SESSIONS TO WHICH SECRETARIAT NOT CUSTOMARILY INVITED). HE UNDERScoreD IMPORTANCE ATTACHED BY CANADIAN AUTHORITIES TO "SO-CALLED AGENDA" IN FRAMEWORK, BUT RAILED AGAINST SECRETARIAT FOR OPEN-ENDED AND ARBITRARILY-SCHEDULED MEETINGS OF THIS SORT WHICH AMOUNTED TO "A WASTE OF DELS' TIME." ALTHOUGH CANADIAN DENUNCIATION RECEIVED NO EXPLICIT SUPPORT, OTHERS' REMARKS DURING AND AFTER MEETING INDICATED SIMILAR FEELING AMONG MOST DC DELS THAT SECRETARIAT SHOULD NOT SCHEDULE SUCH SESSIONS PURELY AS FORCING DEVICE.

3. SUBSTANTIVE DISCUSSION EVENTUALLY SPARKED BY EC REFERENCE TO ITS PROPOSALS ON FRAMEWORK TOPICS I AND IV (LEGAL BASIS FOR S&D/RECIPROCITY/GRADUATION). LUYTEN NOTED THAT LDC VIEWS ON THOSE SUBJECTS FAR FROM UNIFORM; NOT ONLY DCS BUT MOST (I.E., LESS-ADVANCED) LDCS SHOULD HAVE INTEREST IN REQUIRING PROGRESSIVE ASSUMPTION OF OBLIGATIONS BY MORE ADVANCED LDCS, SO THAT GRADUATION LIMITED OFFICIAL USE

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ISSUE SHOULD BE CRUCIAL ELEMENT OF ANY ENABLING CLAUSE FROM VIEWPOINT OF NEARLY ALL MTN PARTICIPANTS. NORDICS (BIORN LIAN) COMPLAINED THAT EC'S INFORMALLY-CIRCULATED ENABLING CLAUSE IDEAS (SEE REF B) WOULD LEAVE FIELD OPEN FOR "UNRESTRICTED VARIETY OF PREFERENTIAL MEASURES," AT COMPLETE DISCRETION OF DONOR COUNTRIES; S&D SHOULD BE MADE AVAILABLE TO ALL LDCS AT SIMILAR LEVELS OF ECONOMIC/FINANCIAL/DEVELOPMENT NEED IF DISCRIMINATION AND ARBITRARY TREATMENT IS TO BE AVOIDED. EC RESPONDED THAT ITS DRAFT ENABLING CLAUSE TEXT, WHILE RETAINING DONORS' UNILATERAL DISCRETION, COULD BE REINFORCED BY "WRITTEN AND UNWRITTEN PROCEDURES." U.S. (HARTZELL) SUPPORTED NORDICS' COMMENTS AND SAID EC'S MENTION OF SIDE-AGREEMENTS--PRESUMABLY, TO RECORD UNDERSTANDINGS ON FUTURE GSP HANDLING AND EC INTENTIONS DN PREFERENTIAL ARRANGEMENTS--WAS HELPFUL CLARIFICATION WHICH WOULD BE VIEWED WITH KEEN INTEREST IN WASHINGTON, GIVEN HIGH-LEVEL REVIEW OF ISSUE CURRENTLY UNDERWAY.

4. JAPAN (UKAWA) MADE BRIEF STATEMENT URGING THAT DCS NOT BY DEFAULT LEAVE LDCS AS SOLE JUDGE OF WHAT RECIPROCITY IS "CONSISTENT" WITH THEIR NEEDS. OTHER

DELS PRESENT (AUSTRALIA, SWITZERLAND, AUSTRIA, HUNGARY)
DID NOT SPEAK.

5. PATTERSON NOTED SIMILAR SESSION WITH LDC DELS
SCHEDULED BY SECRETARIAT FOR MAY 12. SUBSEQUENTLY, HE
SAID, 7-PLUS-7 WOULD BE CALLED TO PREPARE FOR FORMAL
MEETING OF FRAMEWORK GROUP. HE GAVE NO INDICATION OF
POSSIBLE TIMING OF LATTER.

6. DRAFTED BY MARK. MCDONALD

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